

Notice of Allowability

Application No. **10/675,524**

Applicant(s) **TSURUTA ET AL.**

Examiner **Zeev Kitov**

Art Unit **2836**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/30/03.
2. ☒ The allowed claim(s) is/are 1 - 18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 09/30/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

Examiner acknowledges a submission of the amendment and arguments filed on September 30, 2003. Claims 1, 6, 11 and 15 are amended. The parent Application 09/859,738 has been abandoned after allowance. The new Application has been examined.

The following is an examiner's statement of reasons for allowance:

An amended independent Claim 1 discloses, inter alia, following limitations:

the insulating layer includes an insulating material having a larger volume resistivity than that of the dielectric layer; and

wherein an area of the dielectric layer that contacts the electrostatic chucking electrode has a higher volume resistivity than the remainder of the dielectric layer.

The closest reference for the Claim is Kumar et al. (US 5,880,924), which discloses the insulating layer (205 in Fig. 6a) including an insulating material having a larger volume resistivity than that of the dielectric layer (200 in Fig. 6a, col. 8, line 30 – col. 9, line 21). However, it does not disclose the second limitation of the area of the dielectric layer contacting the electrostatic chucking electrode having a higher volume resistivity than the remainder of the dielectric layer. As to another reference recited in the Japanese Patent Office Action, JP 11 – 111828, it discloses the insulating dielectric layer made of ceramics and having substantial resistance of about 10^8 to 10^{13} ohm-cm but it neither discloses the insulating layer having a larger volume resistivity than the

Art Unit: 2836


dielectric layer, nor the difference between the resistivity of the dielectric layer in the area contacting the electrode and the peripheral area resistivity.

All other independent Claims include the same limitations, which make them allowable. Allowability resides, at least in part, in the above-described limitations, which has not been disclosed in the Prior Art in a search.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeev Kitov whose telephone number is (571) 272-2052. The examiner can normally be reached on 8:00 – 4:30. If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272 – 2800, Ext. 36. The fax phone number for organization where this application or proceedings is assigned is (571) 273-8300 for all communications.

Z.K.
11/23/2005



BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800